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Shylock: The Quality of Justice

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AT THE beginning of Act III of *Twelfth Night,* after a few sharp exchanges with Viola (masquerading as Cesario), Feste the clown says: "Indeed, words are very rascals, since bonds disgraced them." Viola asks: "Thy reason, man?" Feste replies: "Troth, sir, I can yield you none without words; and words are grown so false, I am loath to prove reason with them." In a comedy of disguises, nobody is who or what he is supposed to be: falseness is general. Ultimately, in a conventional recognition scene, the human disguises are penetrated: Cesario is revealed as Viola, the Duke discovers he loves her and not Olivia, Olivia finds she has married Viola's twin brother Sebastian and not Viola-Cesario, Antonio the sea captain learns he has not been betrayed by Sebastian, Malvolio knows he has been gulled by Maria—and so forth and so on. But one betrayal is not allayed: words remain "very rascals." A man's word is no longer his bond: his bond has become his word, and honor has departed the stage even as it has society.

Feste is one of the wisest of Shakespeare's fools; he is, in a sense, the progenitor of the fool in *Lear* and the bondsman of Yorick in *Hamlet* —such wisdom from the mouth of a clown justifies Hamlet's lamentation for a court jester. If Shakespeare's fools speak wisely by profession, then what they say cannot lightly be disregarded. If one clown lends weight to another, from play to play, then what Feste says in *Twelfth Night* may lend weight not only to what Lear's fool says and to the function of clowns and fools in Shakespeare, but also to the meaning of whole plays or at least parts of plays. And so it is with Feste and words grown false by the insistence upon bonds. The distance from Feste to Shylock is no longer than from the Illyria of *Twelfth Night* to the Venice of the Jewish moneylender, and that is short enough: both are on the Adriatic. As the waters of one sea bathe both coastal towns,

so do the words of both characters, clown and moneylender, exchange shores.

THE BOND

LET us take Feste's word, then, for the corruption of words; let us lament with him the disrepute into which words have fallen with the introduction of bonds, with the substitution of legal contracts backed by money or property for a man's words backed by his honor. If Antonio, in *The Merchant of Venice,* is unusual in neither lending nor borrowing with interest—"By taking nor by giving of excess"—Shylock is no more unusual in demanding a bond for the 3,000 ducats he lends Antonio's friend Bassanio. Furthermore it is Bassanio himself who proposes a bond: 3,000 ducats for three months, he says, "For the which, as I told you, Antonio shall be bound." It is only the nature of the bond Shylock proposes which is really questionable:

> *Go with me to a notary, seal me there*
> *Your single bond; and, in a merry sport,*
> *If you repay me not on such a day,*
> *In such a place, such sum or sums as are*
> *Express'd in the condition, let the forfeit*
> *Be nominated for an equal pound*
> *Of your fair flesh, to be cut off and taken*
> *In what part of your body pleaseth me.*
> (I, iii, 145)[1]

In spite of Bassanio's fears, Antonio consents readily:

> *I'll seal to such a bond,*
> *And say there is much kindness in the Jew.*

Shylock has asked "no doit Of usance for my moneys," though by trade a usurer, and this Bassanio calls "kindness" and Antonio as much again, even upon the terms of the pound of flesh:

> *Hie thee, gentle Jew.*
> *The Hebrew will turn Christian: he grows kind.*

1. All quotations from *The Merchant of Venice* follow the George Lyman Kittredge edition of 1936, the line number referring to the first line given.

There is much provocation of Shylock in this, the concluding scene of Act I. Antonio prefaces his bargaining with Shylock by boasting of his lending out money without interest, "gratis," as Shylock calls it in an aside: the boast is at the very least gratuitous; it lends force if not justice to the hatred of him Shylock expresses:

> *I hate him for he is a Christian;*
> *But more for that in low simplicity*
> *He lends out money gratis and brings down*
> *The rate of usance here with us in Venice.*
> (I, iii, 43)

When Shylock points to honorable precedent for his practice of thrift in Jacob's use of peeled branches of poplar and almond and plane to increase the strength and quality and number of his share of Laban's flocks (Gen 30:37), Antonio reminds him that

> *This was a venture, sir, that Jacob serv'd for;*
> *A thing not in his power to bring to pass,*
> *But sway'd and fashion'd by the hand of heaven.*
> (I, iii, 92)

But Shylock has said as much:

> *This was a way to thrive, and he was blest;*
> *And thrift is blessing, if men steal it not.*
> (I, iii, 90)

The reminder turns to mockery when Antonio asks:

> *Was this inserted to make interest good?*
> *Or is your gold and silver ewes and rams?*
> (I, iii, 95)

Shylock falls into Antonio's mood in his answer:

> *I cannot tell; I make it breed as fast . . .*
> (I, iii, 97)

an answer calculated, perhaps, to offend a Christian convinced with Dante that usury was an offense against human art or industry and through it against nature, which is the source of human art, and

through nature against God, who is the source at once of nature and of human industry.[2] Antonio takes full offense and with it the offensive:

> *The devil can cite Scripture for his purpose.*
> *An evil soul, producing holy witness,*
> *Is like a villain with a smiling cheek,*
> *A goodly apple rotten at the heart.*
> *O, what a goodly outside falsehood hath!*
> (I, iii, 99)

Shylock, as a result, recalls Antonio's use of him in the past: scoldings "About my moneys and my usances" which he has "borne . . . with a patient shrug, For suff'rance is the badge of all our tribe," and spittings upon his "Jewish gaberdine" and beard, and kicking, too:

> *You that did void your rheum upon my beard*
> *And foot me as you spurn a stranger cur*
> *Over your threshold . . .*
> (I, iii, 118)

> *another time*
> *You call'd me dog; and for these courtesies*
> *I'll lend you thus much moneys?*
> (I, iii, 128)

Antonio's reply is forthright:

> *I am as like to call thee so again,*
> *To spet on thee again, to spurn thee too.*

2. These are Dante's words from the *Inferno,* XI, 97–111, in the L. G. White translation of *The Divine Comedy* (New York: Pantheon Books, 1948), p. 19:

> "Philosophy," my master answered me,
> "To him who understands it, demonstrates
> How nature takes her course, not only from
> Wisdom divine, but from its art as well.
> And if you read with care your book of physics,
> After the first few pages, you will find
> That art, as best it can, doth follow nature,
> As pupil follows master; industry
> Or art is, so to speak, grandchild to God.
> From these two sources (if you call to mind
> That passage in the Book of Genesis)
> Mankind must take its sustenance and progress.
> The moneylender takes another course,
> Despising nature and her follower,
> Because he sets his hope for gain elsewhere. . . ."

If thou wilt lend this money, lend it not
As to thy friends—for when did friendship take
A breed for barren metal of his friend?—
But lend it rather to thine enemy,
Who if he break, thou mayst with better face
Exact the penalty.

(I, iii, 131)

Division is made; the lines are drawn, but more clearly by Antonio than by Shylock who, if he hates him for a Christian and for lending out money "gratis" and for thus bringing down "The rate of usance here with us in Venice," has proposed a bond in the name of friendship, not of enmity, to which Antonio has willingly agreed:

I would be friends with you and have your love,
Forget the shames that you have stain'd me with,
Supply your present wants, and take no doit
Of usance for my moneys . . .

(I, iii, 139)

Shylock's hypocrisy may be as clear to us as to Bassanio, his terms more of cunning than of amity, but the proposal he makes—and Antonio accepts—is within the bounds of a bondsman who is a respected member of Elizabethan society.[3] Yet it is far outside those bounds, in the realm of fantasy of a moneylender who cannot possibly expect all of Antonio's ships to founder any more than Antonio can. The agreement is made with ill feeling on both sides, but with no apparent likelihood of serious consequences and with a far better show of manners upon the Jew's part than upon the Christians'. Antonio and Bassanio come to Shylock expecting no mercy and little justice, and yet it is equity that they are offered, a fairness Antonio accepts readily.

It may be objected—it is, later in the play—that this justice of Shylock's is severe, beyond mercy, beyond charity. It must be further objected, however, that Shylock has not been approached with mercy

3. The scene is Venice but the people are English and the time is Elizabeth's. This is a necessary translation in all of Shakespeare, whatever exoticism of atmosphere or texture of history may appear on the surface of the plays. As Antony and Cleopatra, Troilus and Cressida, Hamlet, Lear, Othello, and Macbeth must be understood to be Englishmen all, Christians too, and far removed in fact from the fancy of their settings, so must Antonio and Bassanio and Shylock and all those about them be transplanted from Venice to London to make any serious sense of persons and events in *The Merchant.*

or charity, that there is not even any gloss of either in the approach of these Christians to this Jew. Pursued by the needs of the flesh—it is, after all, for his wooing that Bassanio comes to Shylock for his "moneys"—they must needs agree to terms of the flesh. Taunting, tempting, boasting, beating, spitting upon Shylock, these men can hardly invoke their spirit as counter to the flesh he demands; their spirit is, on the contrary, cut from the same corrupt flesh, the flesh tainted by original sin, which is the common inheritance of Gentile and Jew.

JUSTICE

THE question of justice is the most sorely vexed of the themes of *The Merchant of Venice.* Explicitly or implicitly, it is upon justice that the plots, major and minor, turn in this play. The relationship of Shylock and his daughter Jessica, for example, involves a curious defection from justice on both their parts. Altogether without loyalty to her father, Jessica dispatches the Jew's clown, who has decided to run away from his master, with more than passing sympathy:

> *I am sorry thou wilt leave my father so.*
> *Our house is hell; and thou, a merry devil,*
> *Didst rob it of some taste of tediousness.*
> *But fare thee well. There is a ducat for thee . . .*
> (II, iii, 1)

She confesses that she is

> *asham'd to be my father's child!*
> *But though I am a daughter to his blood,*
> *I am not to his manners.*
> (II, iii, 17)

No, her manners are less by the book than her father's are, and at least as much the prey of appetite, hers of the fleshly sin of lust the counterpart of his of the fleshly sin of avarice. When Shylock entrusts her with his keys, she takes full advantage of keys and father, gives Lorenzo a casket much "worth the pains" and steals "some more ducats" before stealing off with her lover. Her pains and her theft elicit unrestrained approval from Gratiano, who conspires with

Lorenzo in her elopement: "Now, by my hood," he says, "a Gentile, and no Jew." We learn, too, that in absconding with a substantial cache from her father's house, she has made free with jewels not to be valued merely in terms of money. Later in the play, Tubal, Shylock's friend and fellow Jew, reports that one of Antonio's creditors has shown him "a ring that he had of your daughter for a monkey." Shylock is tortured, he says, by this knowledge: "Out upon her! . . . It was my turquoise; I had it of Leah when I was a bachelor. I would not have given it for a wilderness of monkeys." (III, i, 125)

Jessica jokes with Launcelot Gobbo, her father's clown that was, about her parentage:

Launcelot . . . the sins of the father are to be laid upon the children. Therefore, I promise you, I fear you . . . for truly I think you are damn'd. There is but one hope in it that can do you any good, and that is but a kind of bastard hope neither.
Jessica And what hope is that, I pray thee?
Launcelot . . . that you are not the Jew's daughter.
Jessica . . . so the sins of my mother should be visited upon me.
Launcelot Truly then I fear you are damned both by father and mother. Thus when I shun Scylla, your father, I fall into Charybdis, your mother. Well, you are gone both ways.
Jessica I shall be sav'd by my husband. He hath made me a Christian.
Launcelot Truly, the more to blame he! We were Christians enow before, e'en as many as could well live one by another. This making of Christians will raise the price of hogs. If we grow all to be pork-eaters, we shall not shortly have a rasher on the coals for money. (III, v, 1)

Jessica's is not a conversion to be taken seriously. Her shift of allegiance is all too human, as is made abundantly clear in her last appearance in the play (V, i). She and Lorenzo vie with each other in rhetorical salutations to the voluptuary night. He recalls the nightly affairs of Troilus and Cressida, Dido and Aeneas—and Jessica:

> *In such a night*
> *Did Jessica steal from the wealthy Jew,*
> *And with an unthrift love did run from Venice*
> *As far as Belmont.*
>
> (V, i, 14)

She recalls the stealthy doings, "In such a night," of Thisbe and Medea —and Lorenzo:

> *In such a night*
> *Did young Lorenzo swear he lov'd her well,*
> *Stealing her soul with many vows of faith,*
> *And ne'er a true one.*
>
> (V, i, 17)

There is just the faintest play on the word "faith" in Jessica's speech: the vows of faith Lorenzo swore had nothing to do with his religion, unless one understand by his religion—by his "many vows of faith"— the religion of the flesh, an impression confirmed by Lorenzo's brief moment of theological speculation in the same scene:

> *Sit, Jessica. Look how the floor of heaven*
> *Is thick inlaid with patens of bright gold.*
> *There's not the smallest orb which thou behold'st*
> *But in his motion like an angel sings,*
> *Still quiring to the young-ey'd cherubins;*
> *Such harmony is in immortal souls;*
> *But whilst this muddy vesture of decay*
> *Doth grossly close it in, we cannot hear it.*
>
> (V, i, 58)

But the musicians who enter at this point are not asked to capture the music of the spheres, to erase "this muddy vesture of decay"; they are importuned by Lorenzo to a more earthly sound, to a seductive performance:

> *Come, ho, and wake Diana with a hymn!*
> *With sweetest touches pierce your mistress' ear*
> *And draw her home with music.*
>
> (V, i, 66)

Lorenzo proclaims a man moved by this "concord of sweet sounds" the very opposite of one "fit for treasons, stratagems, and spoils"; but the earlier associations of this exchange of sentiments—Troilus and Cressida, Dido, Thisbe, Medea, and his own relationship with Jessica— indicate that there is more of romantic irony in this proclamation than

of religious truth. If there is justice here, it is administered by fleshly desire rather than principle.

There is a similar irony in the caskets story, the central plot that frames all the others in *The Merchant.* While Bassanio shows himself superior to Portia's other suitors, Morocco and Arragon, in his choice of the leaden casket, he hardly lives up to its motto, "Who chooseth me must give and hazard all he hath." In the first place, what he hazards is not what "he hath," but what Antonio has. In the second, while he is not easily persuaded to give up the ring Portia gave him—

> *Which when you part from, lose, or give away,*
> *Let it presage the ruin of your love,*
> (III, ii, 172)

—he does part with it to Portia masquerading as Balthazar; in all justice he can no more hold to the letter of his agreement than can Antonio or Shylock. Immediate need—in this case, the desire to make Portia-Balthazar "Take some remembrance of us, as a tribute, Not as a fee"—dissipates sworn fidelity, even as it has Jessica's owed fealty to her father and Launcelot Gobbo's to his master.

SYMMETRY

IN A play notable for its exact symmetries, proceeding to and away from a mechanical center in scene two of Act III, each of the stories reinforces the others and all make the same point, the persuasive point of the most famous speech in the play. In it Portia insists that the quality of mercy cannot be constrained, forced, imposed by ordinance or edict:

> *Therefore, Jew,*
> *Though justice be thy plea, consider this—*
> *That, in the course of justice, none of us*
> *Should see salvation. We do pray for mercy,*
> *And that same prayer doth teach us all to render*
> *The deeds of mercy.*
> (IV, i, 197)

Hence it is by justice that Shylock can, if he shed no blood, claim his pound of flesh,

But just a pound of flesh. If thou tak'st more
Or less than a just pound—be it but so much
As makes it light or heavy in the substance
Or the division of the twentieth part
Of one poor scruple; nay, if the scale do turn
But in the estimation of a hair—
Thou diest, and all thy goods are confiscate.
(IV, i, 326)

And by justice Shylock stands convicted of an attempt upon the life of Antonio, his wealth as a result to be divided between Antonio and the state.

Quickly, then, as if in sudden remembrance of Portia's eloquent opposition of the principle of mercy to that of justice, mercy is shown Shylock—just twice. The Duke spares his life; Antonio spares half his fortune,

so he will let me have
The other half in use, to render it
Upon his death unto the gentleman
That lately stole his daughter . . .
(IV, i, 382)

"For this favour," however, he must not only will all he possesses at his death to Lorenzo and Jessica, he must "presently become a Christian." Conceivably this is Antonio's idea of mercy; it sounds more like a literal-minded justice, administering baptism by desire—but Antonio's desire, not Shylock's, which makes it a most questionable baptism. Few conversions in the world's annals, literary or historical, have a more hollow ring. The justice that triumphs in this proviso is not God's, not the Church's, but vengeful man's. It is a mockery of Christian justice, and though offered within the shadow of mercy altogether without the substance of charity.

Gratiano is not satisfied. We know him, in Bassanio's words, "too wild, too rude and bold of voice"; we know, too, from the same friendly source, that these are

Parts that become thee happily enough
And in such eyes as ours appear not faults;

> *But where thou art not known, why, there they show*
> *Something too liberal.*
>
> (II, ii, 191)

He expresses, then, the view of Antonio's party at its most "liberal," its most unrestrained, but his wildness, rudeness, and boldness, while excessive, are not faults to those who know him. His dissatisfaction makes the last irony of the play before the ring plot is drawn to its circular conclusion. It is an irony that reinforces the note of uncharitable justice upon which Shylock becomes a Christian. To the Jew, Gratiano says:

> *In christening thou shalt have two godfathers;*
> *Had I been judge, thou shouldst have had ten more,*
> *To bring thee to the gallows, not the font.*
>
> (IV, i, 398)

And thus, apart from some passing mentions of the deed Shylock is to sign, disposing of his fortune at Antonio's direction, the conflict between moneylender and merchant, between Jew and Christian, between justice and mercy, comes to an end. Mercy, on the surface at least, appears to have triumphed over justice even as Antonio the Christian over Shylock the Jew. Has it, in truth? Actually, the triumph is more for the symmetrical balance of the play than for either mercy or justice: in the delicate dramatic equilibrium of *The Merchant of Venice,* the confounding of Shylock is matched by the confusion of those who defeated him; the wisdom of Portia's asseveration of the quality of mercy is tempered by the barbarity of Shylock's forced conversion, the crudeness of Gratiano's pronouncement, and the bold and open sanction given Lorenzo's theft of Shylock's daughter.

From this play of ironies and unresolved conflicts, this "most excellent Historie of the *Merchant of Venice,*" as the Quarto title page describes it, what sort of value-judgment does Shakespeare make? Does he, in point of fact, make any at all? Many have been anxious to collaborate with Shakespeare in drawing conclusions from the events depicted in *The Merchant of Venice.* Actors who play Shylock as a deformed creature, elaborately made up to look like the gross caricatures of Jews of Julius Streicher's *Der Angriff,* have wittingly or unwittingly joined those who see in *The Merchant* an anti-Semitic tract.

Critics who turn the play into a masterful defense of the Jews against the assaults of anti-Semites, like those who make *Hamlet* into a Freudian case history, willfully, or at least wishfully, convert a far-seeing, broadly principled Elizabethan playwright into a nearsighted, tendentious contemporary of ours. Both sides err, I think, and considerably reduce the size of the conflict reported so faithfully in this most excellent and accurate history of Englishmen, disguised as Venetians and as Jews, contending for their salvation with the forces of this world and against the doom of a lower one. Sensitively, subtly aware of the magnetic attractions of fleshly justice, Shakespeare sets alongside it the majestic beauty of eternal mercy, and turns his symbols into the things they symbolize with a pound of flesh and Portia's robes of justice (she is "dressed like a doctor of laws"). In the fight between Jew and Christian, which so much of the time looks as if it were a conflict between the Old Law and the New, between the justice of "an eye for an eye, a tooth for a tooth," and sweet charity, he demonstrates the same depth of insight to be found in his great tragedies: he actually shows neither side properly served and both misrepresented.

The ultimate wisdom of *The Merchant of Venice* is in the final imbalance of the perfectly balanced play. Justice is traduced, mercy unequal. It is not Jew who offends so grievously, not Christian who understands so poorly; it is man who is inadequate to his eternal destiny. When the lovers go off to their several "inter'gatories" at the end of the play, the high sound and valorous spirit of Portia in the courtroom have become the adolescent banter about the rings and the wild, rude, and bold Gratiano has become the mild husband of Portia's lady-in-waiting, Nerissa, with but one small concern:

> *Well, while I live I'll fear no other thing*
> *So sore as keeping safe Nerissa's ring.*
> (V, i, 306)

Meanness, Shakespeare is saying, is of the nature of man; in another context, Lorenzo has made the point of the play:

> *There's not the smallest orb which thou behold'st*
> *But in his motion like an angel sings,*
> *Still quiring to the young-ey'd cherubins;*
> *Such harmony is in immortal souls;*

But whilst this muddy vesture of decay
Doth grossly close it in, we cannot hear it.
(V, i, 60)

COMPASSION

FORTUNATELY for our sagging spirits, there is more in *The Merchant of Venice* than "this muddy vesture of decay," though that is its chief cargo. There is also, inevitably, compassion. Morocco, "a tawny Moor," suggests a point,

Mislike me not for my complexion,
The shadowed livery of the burnish'd sun,
To whom I am a neighbour and near bred,
(II, i, 1)

to which Shylock's speech,

Hath not a Jew eyes? Hath not a Jew hands, organs, dimensions, senses, affections, passions? fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer as a Christian is? If you prick us, do we not bleed? If you tickle us, do we not laugh? If you poison us, do we not die? (III, i, 62),

is a clear counterpoint. Both speeches show Shakespeare's understanding of what might be called "the other side." It is a side of which he is not a partisan, but for which he expresses more than sympathy or pity: he commends it to our mercy and to God's. At the end of the speech just quoted, Shakespeare demonstrates that Shylock's morality is as deficient as his logic is efficient:

If a Jew wrong a Christian, what is his humility? Revenge. If a Christian wrong a Jew, what should his sufferance be by Christian example? Why, revenge. The villainy you teach me I will execute, and it shall go hard but I will better the instruction. (III, i, 71)

Shylock stands condemned by his own mouth in this speech—at least to those who would leaven justice with mercy and practice charity in the execution of any judgment. So too do the Christians in

this play, who restrain the quality of mercy and constrain that of justice, stand self-condemned in the words of Bassanio:

> *In religion,*
> *What damned error but some sober brow*
> *Will bless it, and approve it with a text,*
> *Hiding the grossness with fair ornament?*
> *There is no vice so simple but assumes*
> *Some mark of virtue on his outward parts.*
> (III, ii, 77)

The "mark of virtue" at the end of the play is upon Portia and Bassanio, Nerissa and Gratiano, Jessica and Lorenzo; but all have practiced in lesser or greater degree some vice, all have failed in mercy or honesty or charity, and really in justice too, in Christian justice, for Christian justice must take into account mercy withheld, dishonesty practiced, charity not practiced. The "sober brow" of worldly justice may "bless" these practices, these failures, these breaches of charity and mercy; but, as Shylock is forced to learn and the Christians in this play are expected to know and we seeing it or reading it are led to understand, "in the course" of such justice "none of us should see salvation."